

AN ORDINANCE

BY COUNCILMAN KWANZA HALL

AN ORDINANCE TO AMEND SECTION 30-1461 (PRIVATE PROPERTY VENDING- DEFINITIONS) AND TO CREATE NEW SECTIONS TO THE PRIVATE PROPERTY VENDING REGULATIONS, BEGINNING WITH CODE SECTION 30-1471 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, SO AS TO ESTABLISH REGULATIONS FOR VENDING FROM MOBILE FOOD UNITS; TO WAIVE CONFLICTING ORDINANCES AND CODE SECTIONS; AND FOR OTHER PURPOSES.

WHEREAS, within the City, there is an increased interest and demand for access to food trucks and food carts; and

WHEREAS, the City desires to improve the vitality of the streets of Atlanta; increase access to affordable and gourmet foods; encourage budding food entrepreneurs; and support local small business and economic development; and

WHEREAS, such goals can be accomplished by providing purveyors of street food the opportunity to vend on private property; and

WHEREAS, the City finds it to be in the public interest and general welfare to amend city code provisions governing vending on private property.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

Section 1: Section 30-1461, entitled "Definitions" is hereby amended by adding the following definition:

Mobile Food Unit means any motor vehicle or non-motorized cart approved by the department of police used for the vending of food items to the public.

Section 2: Section 30-1471 of the Code of Ordinances is hereby created and shall provide as follows:

Section 30-1471. Vending from mobile food units.

(a) Regulations, restrictions and prohibitions.

Persons conducting business from a mobile food unit on private property may conduct such business only in compliance with the following:

(1) They must have the written expressed consent of the owner to use the business property on which they propose to operate.

(2) They must have a valid city business license unless otherwise exempted by city ordinance.

(3) The business use must be a use that is otherwise allowed within the zoning district in which the vendor proposes to operate.

(4) Vending on private property shall also comply with the requirements of Chapter 30, Article XXIV, Vending on Private Property.

Persons conducting business from a mobile food unit on private property shall not be permitted to operate in the following areas:

(5) Within 15 feet of any street intersection or pedestrian crosswalk.

(6) Within ten feet of any driveway.

(7) Within 15 feet of another vending location assigned pursuant to article XXIII of this chapter to another vendor on a public sidewalk.

(8) Within a minimum of nine feet of unobstructed pedestrian space.

(9) Any area within 15 feet of a building exit, or in the case of a hotel or motel, within 50 feet of building entrances or exits.

(10) Within 200 feet of a stationary business selling the same or similar products. This provision shall not apply to vendor sites located near athletic and entertainment venues which have a seating capacity in excess of 3,500 persons, nor shall it apply to vendor sites where the stationary business and the mobile food unit(s) share a common ownership interest.

(b) Any power sources must be depicted on the site plan and must meet all applicable electrical code standards.

(c) Vending structures shall not be left unattended or stored at any time on the open vending site when vending is not taking place or during restricted hours of operation.

(d) Hours of operation shall be 5:00 a.m. to 2:00 a.m.

(e) Amplified sound or sound equipment must comply with the City of Atlanta Noise Ordinance.

(f) Any and all signage must comply with the City of Atlanta Sign Ordinance.

(g) mobile food truck vendors shall be allowed to vend from the multiple locations as indicated on the vending permit.

Section 3: All ordinances and code sections and parts of ordinances and code sections in conflict herewith are hereby waived to the extent of any such conflict.